

SHEA LARSEN

1731 Village Center Circle, Suite 150
Las Vegas, Nevada 89134
(702) 471-7432

Bart K. Larsen, Esq.
Nevada Bar No. 8538
Kyle M. Wyant, Esq.
Nevada Bar No. 14652
SHEA LARSEN
1731 Village Center Circle, Suite 150
Las Vegas, Nevada 89134
Telephone: (702) 471-7432
Fax: (702) 926-9683
Email: blarsen@shea.law
kwyant@shea.law

*Attorneys for HASElect-Medical Receivables
Litigation Finance Fund International SP*

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:

INFINITY CAPITAL MANAGEMENT, INC.

Debtor.

Case No. 21-14486-abl
Chapter 7

HASELECT-MEDICAL RECEIVABLES
LITIGATION FINANCE FUND
INTERNATIONAL SP,

Plaintiff,

v.

ANNE PANTELAS; OLIVER HEMMERS; and
INFINITY HEALTH SOLUTIONS LLC,

Defendants.

Adversary Case No.: 22-01109-abl

DISCOVERY PLAN AND SCHEDULING ORDER

Plaintiff HASElect-Medical Receivables Litigation Finance Fund International SP (“Plaintiff” or “HASElect”), by and through its counsel, Shea Larsen PC, and Defendants Anne Pantelas (“Pantelas”), Oliver Hemmers (“Hemmers”), and Infinity Health Solutions LLC (“Infinity” and collectively with Pantelas and Hemmers, “Defendants”), by and through its counsel, Lewis Roca Rothgerber Christie LLP, hereby submits the following Joint Discovery Plan and Scheduling Order for the Court’s review:

///

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1. **Discovery Plan:**

_____ **Request for waiver of requirement to prepare and file a formal discovery plan.**

The parties certify that all discovery can be completed informally, without the need of court intervention and in conformance with the Standard Discovery Plan, and that the matter will be ready for trial within 120 days, or

 X **A discovery plan is needed or useful in this case.**

_____ The parties agree to the standard discovery plan. Defendants answered or otherwise appeared on September 22, 2022. Discovery shall be completed within 180 days, measured from the date the Defendants answered or otherwise appeared.

 X The parties jointly propose to the Court the attached discovery plan and scheduling order.

_____ The parties cannot agree on a discovery plan and scheduling order.

2. **Nature of the Case:** Brief description of the nature of the case.

This is an adversary proceeding by HASelect against Defendants to recover HASelect's Collateral and all property in which it has a security interest, in addition to HASelect's recovery of claims abandoned to it by the bankruptcy trustee, including, but not limited to, recovery of shareholder loans and misappropriated proceeds and advances of HASelect's loan to Debtor Infinity Capital Management, Inc.

3. **Jury Trials:** Check one:

 X A demand for a jury trial has not been made.

_____ A demand for a jury trial has been made.

_____ It is expressly understood by the undersigned parties they have demanded a jury trial pursuant to Fed. R. Civ. P. 38(b), and in conformity with LR 9015, and have consented to a jury trial pursuant to 28 U.S.C. § 157(e).

An original and two (2) copies of all instructions requested by either party shall be submitted to the clerk for filing on or before: _____.

An original and two (2) copies of all suggested questions of the parties to be asked of the

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1 jury panel by the court on voir dire shall be submitted to the clerk for filing on or before:
2 _____.

3 4. **Additional Pleadings:** Are there any counterclaims, cross claims or amendments to
4 pleadings expected to be filed?

5 _____ Yes

6 X No

7 5. **Settlement Conference:** Check One:

8 _____ A settlement conference is requested.

9 X Settlement cannot be evaluated prior to additional discovery, the Parties may later
10 request a settlement conference.

11 6. **Trial:** Plaintiffs contend that the case should be ready for trial by August 18, 2023 and
12 should take no more than five (5) days.

13 7. All parties X consent to this court entering final judgment.

14 DATED this 10th day of October 2022.

DATED this 10th day of October 2022.

15 **SHEA LARSEN**

LEWIS ROCA ROTHGERBER CHRISTIE LLP

16 /s/ Bart K. Larsen, Esq.
17 Bart K. Larsen, Esq.
18 Nevada Bar No. 8538
19 Kyle M. Wyant, Esq.
20 Nevada Bar No. 14652
21 1731 Village Center Circle, Suite 150
22 Las Vegas, Nevada 89134

/s/ Ogonna Brown, Esq.
Ogonna Brown, Esq.
Nevada Bar No. 7589
Eckley Keach III, Esq.
Nevada Bar No. 14727
3993 Howard Hughes Parkway, Suite 600
Las Vegas, Nevada 89169

*Attorneys for HSelect-Medical
Receivables Litigation Finance Fund
International SP*

*Attorneys for Defendants Anne Pantelas, Oliver
Hemmers, and Infinity Health Solutions LLC*

CERTIFICATE OF SERVICE

1. On October 10, 2022, I served the following document(s): **DISCOVERY PLAN AND SCHEDULING ORDER**

2. I served the above document(s) by the following means to the persons as listed below:

☒ a. ECF System:

Ogonna Brown, Esq.
3993 Howard Hughes Parkway, Suite 600
Las Vegas, Nevada 89169

obrown@lewisroca.com

*Counsel for Defendants Anne Pantelas, Oliver Hemmers, and
Infinity Health Solutions, LLC*

☐ b. United States mail, postage fully prepaid:

☐ c. Personal Service:

I personally delivered the document(s) to the persons at these addresses:

☐ For a party represented by an attorney, delivery was made by handing the document(s) at the attorney's office with a clerk or other person in charge, or if no one is in charge by leaving the document(s) in a conspicuous place in the office.

☐ For a party, delivery was made by handling the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.

☐ d. By direct email (as opposed to through the ECF System):

☐ e. By fax transmission:

Based upon the written agreement of the parties to accept service by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

☐ f. By messenger:

I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a messenger for service.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 10, 2022.

By: /s/ Bart K. Larsen, Esq.

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ANNE PANTELAS; OLIVER HEMMERS; and
INFINITY HEALTH SOLUTIONS LLC,
Defendants.

REPORT OF THE PARTIES' PLANNING MEETING

Pursuant to Fed. R. Civ. P. 26(f), made applicable to this proceeding by Fed. R. Bankr. P. 7026, Plaintiff HASElect-Medical Receivables Litigation Finance Fund International SP (“Plaintiff” or “HASElect”), by and through its counsel, Shea Larsen PC, and Defendants Anne Pantelas (“Pantelas”), Oliver Hemmers (“Hemmers”), and Infinity Health Solutions LLC (“Infinity” and collectively with Pantelas and Hemmers, “Defendants”),¹ by and through its counsel, Lewis Roca Rothgerber Christie LLP, hereby submits this *Report of Parties’ Planning Meeting* and agree as

¹ Defendants and Plaintiff may also be referred to as the “Parties” herein.

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1 follows based on the meeting of the Parties, which took place on October 3, 2022:

2 1. **Pre-discovery Disclosures.** HASelect exchanged initial disclosures and the information
3 required by Fed. R. Bankr. P. 7026(a)(1) on October 5, 2022. Defendants intend to exchange their
4 initial disclosures and the information required by Fed. R. Bankr. P. 7026(a)(1) by October 17,
5 2022.

6 2. **Discovery Plan.**

7 a. Discovery will be needed on the claims asserted by Plaintiff and the
8 affirmative defenses asserted by Defendants.

9 b. All fact discovery will be completed by April 6, 2023.

10 c. Reports from retained experts of either party under Fed. R. Bankr. P.
11 7026(a)(2) are due on or before May 5, 2023, and reports of rebuttal experts shall be due thirty
12 days after receipt of the initial report. All expert depositions shall be completed by June 16, 2023.

13 3. **Other items.**

14 a. A Scheduling Conference is currently set for October 11, 2022 at 10:00 a.m.

15 b. The Parties should be allowed until December 9, 2022 to file a motion to
16 join additional parties and amend their pleadings.

17 c. All potentially dispositive motions should be filed on or before June 30,
18 2022.

19 d. Final lists of witnesses and exhibits under Fed. R. Bankr. P. 7026(a)(3) are
20 due sixty days prior to trial.

21 e. Parties shall file objections to final witness and exhibit lists served pursuant
22 to Fed. R. Bankr. P. 7026(a)(3) forty-five days before trial with responses due no later than thirty
23 days before trial.

24 f. *Motions in limine* shall be filed no later than forty-five days before trial.

25 g. All other deadlines not set forth herein shall be governed by the Local Rules.

26 h. The Parties will be ready for trial by August 18, 2023. At this time, trial is
27 expected to take five (5) days.
28

i. The Parties may stipulate to amend any of the dates herein, but the stipulation will not be effective until entry of an order approving such stipulation.

DATED this 10th day of October 2022.

DATED this 10th day of October 2022.

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